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AUG 05 2008

Docket No.: 163-626

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT OPERATIONS

In re Application of:)	
)	
Giovanni Meazza.)	Group Art Unit:1624
)	
Serial No.: 10/536,485)	Examiner: Jeffrey H. Murray
)	
Filed: May 24, 2005)	
)	

For: NEW URACILS HAVING A HERBICIDAL ACTIVITY

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

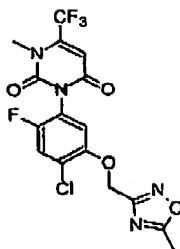
DECLARATION UNDER 37 CFR§1.132

I, Giovanni Meazza, declare that I am a named inventor in the above identified application and that I hold a degree in Chemistry from the University of Milan. The following tests have been carried out under my personal supervision:

Furthermore, in order to support the patentability of the claims as now amended, we enclose further experiments with comparative data with respect to the closest prior art cited by the examiner and precisely registry N.114170-26-2 (RC2) and 313046-23-0 (RC1) (pages 8 and 9 of the outstanding Official Action).

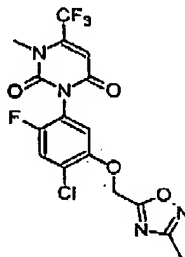
In Tables 1 and 2 they are reported the comparative results of herbicidal activity obtained with the following compounds:

- 3-{4-chloro-2-fluoro-5-[(5-methyl-1,2,4-oxadiazol-3-yl)methoxy]phenyl}-1-methyl-6-(trifluoromethyl)-2,4(1H,3H)-pyrimidinedione: Compound N 111 of the present application



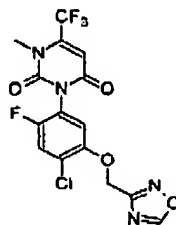
mp 109 °C; ¹H NMR (CDCl₃): δ 2,62 (s, 3H, CH₃); 3,56 (bs, 3H, NCH₃); 5,18 (s, 2H, OCH₂); 6,35 (s, 1H, uracil); 7,00 (d, 1H, aromatic); 7,32 (d, 1H, aromatic).

- 3-[4-chloro-2-fluoro-5-((3-methyl-1,2,4-oxadiazol-5-yl)methoxy)phenyl]-1-methyl-6-(trifluoromethyl)-2,4(1H,3H)-pyrimidinedione: Compound N 115 of the present application



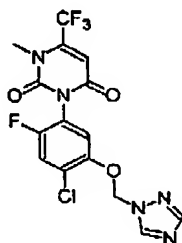
mp 60 °C; ¹H NMR (CDCl₃): δ 2,42 (s, 3H, CH₃); 3,54 (bs, 3H, NCH₃); 5,25 (s, 2H, OCH₂); 6,34 (s, 1H, uracil); 6,94 (d, 1H, aromatic); 7,33 (d, 1H, aromatic).

- 3-[4-chloro-2-fluoro-5-(1,2,4-oxadiazol-3-ylmethoxy)phenyl]-1-methyl-6-(trifluoromethyl)-2,4(1H,3H)-pyrimidinedione: Compound N 117 of the present application

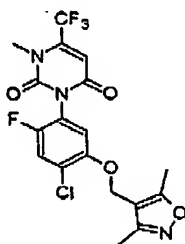


mp 122 °C; ¹H NMR (CDCl₃): δ 3,55 (bs, 3H, NCH₃); 5,28 (s, 2H, OCH₂); 6,36 (s, 1H, uracil); 7,01 (d, 1H, aromatic); 7,33 (d, 1H, aromatic); 8,77 (s, 1H, oxadiazole).

- 3-[4-chloro-2-fluoro-5-(1H-1,2,4-triazol-1-ylmethoxy)phenyl]-1-methyl-6-(trifluoromethyl)-2,4(1H,3H)-pyrimidinedione, Registry No. 313046-23-0, compound 1335 described in US6258751, RC1.



- 3-{4-chloro-5-[(3,5-dimethylisoxazol-4-yl)methoxy]-2-fluorophenyl}-1-methyl-6-(trifluoromethyl)-2,4(1H,3H)-pyrimidinedione, Registry No. 114170-26-2, described in US4859229, page 43, line 14 - line 16, RC2.



The tests were carried out as described in Examples 19 and 20 of the above identified application.

The herbicidal activity was evaluated on the basis of the following values, which refer to the damage percentage tested on the treated plants, with respect to the non-treated plants (blank):

- 0	=	0 - 10 % damage;
- 1	=	11 - 30 % damage;
- 2	=	31 - 50 % damage;
- 3	=	51 - 70 % damage;
- 4	=	71 - 90 % damage;
- 5	=	91 % damage - death of the plant.

Abutilon theophrasti (AT); Amaranthus retroflexus (AR); Chenopodium album (CA); Convolvulus sepium (CS); Galium aparine (GA); Ipomea purpurea (IP); Matricaria chamomilla (MC) Portulaca oleracea (PO); Solanum nigrum (SN);

Sida spinosa (SS); Veronica persica (VP); Wheat (W); Corn (C).

Table 1: Herbicidal activity in pre-emergence

Compound	Application rate g/ha	AT	AR	CA	CS	GA	I P	MC	PO	SN	SS	VP	W	C
N° 111	15	5	5	5	5	5	5	5	5	5	5	5	0	0
	5	5	4	5	5	5	5	4	5	5	4	4	0	0
N° 115	15	5	5	5	5	5	5	5	5	5	5	5	1	0
	5	5	5	4	5	4	5	5	5	4	5	4	0	0
N° 117	15	5	5	5	5	5	5	5	5	5	5	5	0	0
	5	5	5	5	5	5	5	5	5	5	5	5	0	0
RC1	15	2	2	3	2	1	2	2	1	3	2	2	1	1
	5	1	1	2	1	0	1	1	0	2	1	0	0	0
RC2	15	2	3	4	3	4	3	3	2	2	3	2	2	3
	5	0	1	2	0	2	1	2	1	0	1	0	0	1

Table 2: Herbicidal activity in post-emergence.

Compound	Application rate g/ha	AT	AR	CA	CS	GA	I P	MC	PO	SN	SS	VP	W	C
N° 111	15	5	5	5	5	5	5	5	5	5	5	5	1	1
	5	5	5	4	5	5	5	4	5	5	5	4	0	0
	1	4	4	3	4	4	4	3	4	4	4	3	0	0
N° 115	15	5	5	5	5	5	5	5	5	5	5	5	2	1
	5	5	5	4	5	4	5	4	5	4	5	5	1	0
	1	4	4	3	4	3	4	3	4	3	4	4	0	0

N° 117	15	5	5	5	5	5	5	5	5	5	5	5	1	1
	5	5	5	5	5	5	5	5	5	5	5	5	0	0
	1	4	4	5	4	5	5	4	4	5	4	4	0	0
RC1	15	1	3	1	2	1	1	3	1	2	1	1	1	1
	5	0	2	1	1	0	0	2	0	1	0	0	0	0
	1	0	1	0	0	0	0	1	0	0	0	0	0	0
RC2	15	1	3	2	2	2	1	1	3	3	1	2	3	3
	5	0	2	1	1	1	0	1	2	2	0	1	0	1
	1	0	1	0	0	0	0	1	0	0	0	0	0	0

The results unexpectedly show that compounds of the present application have, in comparison with the closest prior art compounds, a higher herbicidal activity against weeds, maintaining in the meantime a low phytotoxicity towards important crops such as wheat and corn. Thus, they can be used as selective herbicides at application rates considerably lower than prior art compounds.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issued thereon.

Dated: July, 29th, 2008

Giovanni Meazza

Name: Giovanni Meazza